

Rickner PLLC

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January 19, 2024

Via ECF

Hon. Mitchell J. Katz
U.S. Magistrate Judge
Federal Building and U.S. Courthouse
P.O. Box 7396
Syracuse, NY 13261-7396

Re: *Damien Carrion v. Sergeant Lee M. MacKay et al.*, 23-cv-1306 (DNH/MJK)

Dear Judge Katz:

We represent the Plaintiff in the above-captioned action and write in response to your Text Order, dated January 12, 2024. (Dkt. No. 11).

Plaintiff's counsel has discussed Your Honor's concerns with our investigator, who believes we may be able to determine an address for service of process for Sergeant MacKay without the need to disclose his date of birth and social security number. As such, at this time, we withdraw our request for a judicial subpoena.

We thank the Court for its time and attention to this matter. We also thank the Court for granting our requests for an extension of time to serve Sergeant MacKay and to adjourn the Rule 16 conference and related deadlines.

Respectfully,

/s/

Sara Wolkensdorfer